U.S. Department of the Interior

Bureau of Indian Education
Advisory Board for Exceptional Children

Meeting Minutes
May 1-3, 2019

Doing What's Best for Students!

BIE's mission is to provide quality education opportunities from early childhood through life in accordance with a tribe's needs for cultural and economic well-being, in keeping with the wide diversity of Indian tribes and Alaska Native villages as distinct cultural and governmental entities. Further, the BIE is to manifest consideration of the whole person by taking into account the spiritual, mental, physical, and cultural aspects of the individual within his or her family and tribal or village context. (Title 25 CFR Part 32.3). The BIE follows the guidelines provided by the Individuals with Disabilities Education Act (IDEA), a federal grant program designed to improve educational opportunities for children with disabilities.

Table of Contents

Advisory Board Meeting Minutes..... 1

FACA Regulations 1

Day 1 –Wednesday, May 1, 2019..... 1

Orientation Session for New Board Members..... 1

Advisory Board Meeting (Day 1) 2

Call to Order and Board Roll Call 2

Old Business 3

New Business 3

Day 2 – Thursday, May 2, 2019 6

Call to Order and Board Roll Call 6

BIE Special Education Update 7

BIE Division of Performance and Accountability (DPA) Update..... 8

The BIE Associate Deputy Directors -Implementation of Action Plans for Special Education; ERC Updates; and Successes and Concerns..... 9

BIE Human Resource Department..... 11

Day 3 – Friday, May 3, 2019 11

Call to Order and Board Roll Call 11

BIE Office of Sovereignty 12

Public Comments 13

Advisory Board Work Group Session 13

Appendix 1: 16

Advisory Board member Roster 17

Advisory Board Agenda 18

Bureau of Indian Education Advisory Board for Exceptional Children, Advisory Board meeting May 1-3, 2019

Name of Committee: Bureau of Indian Education Advisory Board for Exceptional Students

Meeting Location: National Indian Programs Training Center, 1011 Indian School Rd., NW, Room 326, Albuquerque, New Mexico 87104

Meeting Presentation: Provided in person presentation for participants located onsite; and teleconference (audio) for public commenting.

Advisory Board Chair: Norman Shawanokasic

FACA Regulations: As an advisory board to a federal agency, the Advisory Board falls under the requirements of the Federal Advisory Committee Act (FACA; 5 U.S.C., Appendix 2). FACA aims to ensure that the advice of federal advisory committees is objective and available to the public, and that the committees comply with cost control and recordkeeping requirements. The Advisory Board must comply with FACA regulations by:

- Making Advisory Board meetings open to the public,
- Publishing advance notice of upcoming meetings in the *Federal Register*,
- Recognizing a Designated Federal Officer (DFO) assigned by the BIE to support the Advisory Board,
- Ensuring that members avoid conflicts of interest, and
- Limiting membership terms.

Jennifer Davis, DFO was present during all meeting sessions to maintain compliance with the FACA regulations.

Day 1 - Wednesday, May 1, 2019

Orientation Session for New Board Members

Start Date and Time: 5/1/2019; 8:30 a.m. Mountain Time

Call to Order, Opening Remarks & Welcome – provided by Jennifer Davis, DFO

Roll Call

- Present – Norman Shawanokasic, Chairperson, (In person)
- Present – New Board Members in person - Brenda Anderson, Dr. Eudore Camata, Teresa McMakin, Katinee Shawanokasic and Gretchen Wendell
- Absent – New Board Members - Marcy Oliver and Jennie Platerio

Topics Reviewed during the Orientation Session

- Review of Federal Advisory Committee Act (FACA) and regulations
- Review of the Individuals with Disabilities Education Act (IDEA)
- Review Board Member Handbook
- Review the Charter
- Overview of the Department of the Interior (DOI) and the Bureau of Indian Education (BIE)
- Overview of the BIE Special Education Program
- Review of Board member travel reimbursement/voucher process

11:30pm MT – Break for lunch

BIE Advisory Board Meeting (Day 1)

Start Time: 1:00 p.m. Mountain Time

Welcome and Introductions – provided by Jennifer Davis, DFO

Call to Order and Board Roll Call – completed by Norman Shawanokasic, Chair

1. Present - Norman Shawanokasic, Board Member (In person)
2. Present - Brenda Anderson, Board Member (In person)
3. Present - Dr. Eudore Camata, Board Member (In person)
4. Present - Teresa McMakin, Board Member (In person)
5. Present - Dr. Harvey Rude, Board Member (In person)
6. Present - Katinee Shawanokasic, Board Member (In Person)
7. Present - Gretchen Wendell, Board Member (In Person)
8. Present - Ronald Worst, Board Member (via phone)
9. Present - Rebecca Youngman, Board Member (In Person)

- Absent - Adrienne Benally, Board Member (Excused)
- Absent - Marcy Oliver, Board Member (Excused)
- Absent - Jennie Platerio, Board Member (Excused)

- Present – Jennifer Davis, DFO (In person)
- Gallery: 10 individuals were in attendance
    - Tawanda Avery, Special Education director, BIE Navajo ADD
    - Terry Long, Technical Assistance Provider, Public
    - Laura Sullivan Gallegos, Service Provider, LSG Education Services
    - Carrie Watahomigie, Education Specialist, Special Education, BIE Navajo ADD
    - T. Keri Jojola, BIE Education Program Administrator, Tribal Controlled Schools

- Connie Albert, BIE Education Specialist, Division of Performance & Accountability (DPA)
- Narcy D. Ka'Won, BIE Education Specialist, DPA
- Laura Tsosie, BIE Education Specialist, DPA
- Rose Marie Davis, BIE Associate Deputy Director (ADD), Tribally Controlled Schools
- Dr. Cheri Poitra, BIE Education Specialist, Special Education, ADD Tribally Controlled Schools

Old Business

I. Reviewed minutes from 9/22/2018 Minutes – (Motion: Dr. Harvey Rude, 2nd: Gretchen Wendell, Unanimous approval by the board).

II. Review the 2018 Annual Report 2018 – (Motion: Dr. Eudore Camata, 2nd: Rebecca Youngman, Unanimous approval by the board).

New Business

I. Briefing regarding the Reorganization of the BIE; Board Introductions; and discussion of new 2019 priorities for BIE Advisory Board. Dr. Harvey Rude --motion to table both of these topics - (Motion: Dr. Harvey Rude, 2nd: Teresa McMakin, Unanimous approval by the board).

II. Election of officers:
   a. Vice Chairperson - Katinee Shawanokasic –accepted
   b. Secretary - Teresa McMakin - accepted

III. Chairperson, Norman Shawanokasic's term will be expiring 5/31/2019. The Secretary of the Interior selects and approves the Chairperson. Dr. Harvey Rude motions to send a request via the DFO to the DOI/BIE to extend the chairperson's term for an additional 1-year. (Motion: Dr. Harvey Rude, 2nd: Dr. Eudore Camata).

IV. Currently there are three vacant advisory board member positions. A federal register notice will be published summer of 2019 to announce four vacancies, which will include the chairperson's soon-to-be vacated position. Current board members may reapply as well as other interested and qualified persons. All applicants are required to go through the vetting process, which includes a background check. There was a discussion about how the Chair is selected and how it is up to the Secretary of the Interior to select and approve the chairperson.

V. There was a motion to nominate Dr. Eudore Camata as the second name to send to Secretary of Interior for chairperson. Dr. Camata accepts. (Motion: Dr. Harvey Rude, 2nd: Dr. Eudore Camata).

VI. The DFO needs to know the date and location of the next meeting by 5/3/19. All members agreed July 2019 was not a good time to meet due to time constraints to get the meeting published in the Federal Register. The board suggested meeting at least one more time before September 2019 when the annual report is due. A discussion around various locations and looking at various factors like the purpose of other locations, costs, weather, high tourist volume, travel distance from airport, etc. are considered.

VII. BIE Special Education Update – provided by Donald Griffin, Supervisory Education Specialist (in person)

a. Workers are the greatest need for the BIE/DPA section. Currently, there are 17 openings for Education Specialists, 10 position have been filled, and nine of the positions were filled internally. Only one person hired has come from outside the BIE.
b. The Dakota litigation is resolved. Seven positions are advertised with four of the available positions being in the Dakotas. Mr. Griffin briefly reviewed the background of the Dakota litigation.
c. Mr. Griffin has found it difficult to hire from the outside (meaning general public and not federal employees or Indian/veteran preference). In addition, the procedures for hiring takes too long. An offer was provided to two people but they declined because it was months before the offer was extended and they found positions elsewhere. Furthermore, also noted, that applicant names he was given were not qualified and he is requesting to make the position a GS-11/12 to provide on-the-job training.
d. There are sixteen GS-13 and one GS-14 positions available in his department. He wants to open it to the public.
e. The Board Chair reported that the BIE Human Resource (HR) hired a recruiter. Mr. Griffin mentioned HR was recruiting at colleges. Rebecca Youngman, Board member asked if a GS-13 position required a master's degree and five years of experience. Then why is the BIE recruiting at colleges knowing that undergraduates will not have this criteria?
f. A discussion occurred regarding the extreme difficulties of USAJOBS for users.
g. Mr. Griffin reported that school staffing at BIE funded schools is creating an issue. HR is not informing Mr. Griffin in a timely manner, of staff leaving the schools. When positions are vacated and no services are not provided, this can create compliance issues and owing of compensatory education services and

time. For instance, a complaint was filed with the Department of Education against San Felipe School and that is how he found out about the lack of special education and related services at the school. BIE is trying to address these issues, Tony Dearman (Director) is working on this.

h. Mr. Griffin also reported that staff at the BIE Education Resource Centers (ERC) have no special education experience; and technology infrastructure at some ERC's and BIE funded schools is poor and needs updating. For example, two offices on Navajo land still have outdated T-1 lines.
i. NASIS trainers are needed within the BIE. There are only a few within the BIE system.
j. The BIE is unable to fill positions for DPA/Special Education. The positions were advertised three times without any applicants. To attract more applicants, the positions are based out of the Albuquerque area.
k. Mr. Griffin reviewed the BIE's State School Performance Plan (SPP)/Annual Performance Report (APR) using information found within the GRADS360 website. The current results for the following APR indicators were reviewed:

    Indicator 1: Graduation
    Indicator 2: Drop Out
    Indicator 3B: Participation for Students with IEPs
    Indicator 3C: Proficiency for Students with IEPs
    Indicator 4A: Suspension/Expulsion
    Indicator 4B: Suspension/Expulsion
    Indicator 5: Education Environments (children 6-21)
    Indicator 8: Parent involvement
    Indicator 11: Child Find
    Indicator 13: Secondary Transition
    Indicator 14: Post-School Outcomes
    Indicator 15: Resolution Sessions
    Indicator 16: Mediation
    Indicator 17: State Systemic Improvement Plan

    The SPP/APR information can be found using the following link.
    https://osep.grads360.org/#report/apr/2016B/publicView?state=BIE&ispublic=true

    Go to Home > SPP APR Resources > scroll down a bit and look for the large megaphone picture and click on Public APR Landing Page > click on BIE > click on the indicator you would like to view.

l. Mr. Griffin stated, "I really need support at schools at the front line level." Mr. Griffin needs support to ensure the numbers are correct. "I do not have the staffing to provide technical assistance at the schools. A Special Education Process Guide was written eight years ago but that is stale now." The Board

members asked what is needed, both Don Griffin and RoseMarie Davis, Associate Deputy Director stated, "People (qualified special education workers)".

4:26pm MT – Recess for the day

Day 2 - Thursday, May 2, 2019

Start Time: 8:30 a.m. Mountain Time

Call to Order and Board Roll Call – completed by Norman Shawanokasic, Chair

1. Present - Norman Shawanokasic, Board Member (In person)
2. Present - Brenda Anderson, Board Member (In person)
3. Present - Dr. Eudore Camata, Board Member (In person)
4. Present - Teresa McMakin, Board Member (In person)
5. Present - Marcy Oliver, Board Member (In Person)
6. Present - Dr. Harvey Rude, Board Member (In person)
7. Present - Katinee Shawanokasic, Board Member (In Person)
8. Present - Gretchen Wendell, Board Member (In Person)
9. Present - Ronald Worst, Board Member (via phone)
10. Present - Rebecca Youngman, Board Member (In Person)

- Absent - Adrienne Benally, Board Member (Excused)
- Absent - Jennie Platerio, Board Member (Excused)

- Present – DFO, Jennifer Davis, DFO (In person)
- Gallery: 16 individuals were in attendance.
    - Tony Dearman, BIE Director
    - Rose Marie Davis, BIE Associate Deputy Director (ADD), Tribally Controlled Schools (TCS)
    - Dr. Cheri Poitra, BIE Education Specialist, Special Education, ADD/TCS
    - Hankie P. Ortiz, BIE ADD, Bureau Operated Schools (BOS)
    - Gloria Yepa, BIE Education Specialist, Special Education, BOS
    - Evonne Wilson Hight, BIE/ADD Special Assistant, BOS
    - Tawanda Avery, Special Education director, BIE Navajo ADD
    - Carrie Watahomigie, Education Specialist, Special Education, BIE Navajo ADD
    - Donald Griffin, BIE Supervisory Education Specialist, Division of Performance & Accountability (DPA)
    - Connie Albert, BIE Education Specialist, DPA
    - Narcy D. Ka'Won, BIE Education Specialist, DPA
    - Laura N. Tsosie, BIE Education Specialist, DPA

- Sandra Poolaw, BIE Supervisory Education Specialist, Accountability & Assessment Office
- Vivian Pacheco, BIE Supervisory Human Resource Specialist
- Terry Long, Technical Assistance Provider, Public
- Laura Sullivan Gallegos, Owner/CEO, LSG Education Services

I. BIE Special Education Update – provided by BIE Director, Tony Dearman (in person).
   a. The Advisory Board members provided a set of question for the Director to respond to during the Board meeting. He addressed the questions. A brief summary is below:

The BIE reorganization chart has not been signed yet and the BIE is working with the solicitor's office in DC. The BIE is working on a strategic plan, to add positions in the area of the Johnson O'Malley program and the behavioral health program. The Director wants everyone to be clear on all positions and duties. GAO has spoken to people who do not know what their job is. Our focus should be on the students. The BIE has the Associate Deputy Director Offices (Bureau Operated and Tribally Controlled) special education positions to be hiring soon. The BIE supports collaborative monitoring; it should not be the sole responsibility of the DPA. This year's focus is on program improvement. The goal for 2020 is for the BIE to take over all of their own BIE contracts that are administered by the BIA management. Facilities is a priority. There is a contract for state and local policies and the BIE needs to make changes to improve the system. If there are student harm incidents those items must be reported to the school during school days and during school breaks so we can structure supports for student health. Focus on BIE creating own certification standards -- right now we have to follow 23 state standards, and teachers can only transfer 5 years of experience, this must change.

A list of the questions provided to the BIE Director is below.

1. Was the BIE's reorganization chart signed?
2. What is the current status and updates of the BIE reorganization in regards to special education programs and services?
   a. And ERC support to schools for technical assistance?
   b. What is the litigation status for the Dakota schools regarding the status of hiring staff for the ERC's?
3. Describe how the BIE Director sees the monitoring process going forward for ISEP, SPED and ESSA/SEP?
4. How and when will the BIE Director clarify roles and responsibilities at each level such as the ADD's, ERC's, and LEA's?

5. What is the current status of the ERC's supporting and working with the BIE funded schools regarding technical assistance, especially special education needs?
6. How does the BIE Director envision the roles and the interaction of the BIE Advisory Board with the BIE Director's Office?
7. Communications – What is the status of the BIE's new BIE website that would ensure communication to schools and tribal jurisdictions? During the July 2018 Advisory Board meeting it was stated by the end of July 2018 a new BIE website would be in place.
8. During 2018 the BIE Senior Management had a retreat. What priorities were addressed and what is the current status or outcomes of the meeting priorities?
9. What is the update on hiring a Chief Academic Officer (CAO) for BIE?
10. What is the status of working with the BIA to get the contracts processed faster and in a timely manner, especially for special education services? Last year in 2018 it was mentioned the BIE is looking to get warranted Contract Officers to help speed up the process. What is the status of this?
11. The DOI Data Tracking System (DTS) has been a hindrance for the BIE programs for about a year or so. How long does a document take to get through the DTS to be signed and ready to leave the DOI?" and what can be done to resolve the slow process of reviewing documents and getting them out?
12. School safety – the suicide rate, we have not heard anything on this, publicly or… We would like data on this.

Norman Shawanokasic, Chairperson thanked the Director for attending the meeting in person and answering the questions.

II. BIE Division of Performance and Accountability (DPA) Update – provided by Associate Deputy Director, Dr. Jeffrey Hamley (via telephone).

a. Dr. Hamley oversees the Every School Succeeds Act (ESSA) and the IDEA programs since the BIE reorganization.
b. A brief summary about the Negotiated Rulemaking was provided, along with how it affects the BIE. There have been four meetings and the Committee is finalizing the final rule. A 60-day commenting period and tribal consultations will start July 2019. This is regards the new assessment. The major change in ESSA vs No Child Left Behind Act (NCLB) is the State Education Agency (SEA) gets to select the assessment. The BIE will have a unified system in the new rule. We have not chosen the assessment yet. The regulation will not choose the assessment. Tribal consultation will be part of the system.
c. The data collection section has been moved from the DPA to the Chief Academic Office section.

d. Under the reorganization, the DPA was reduced by 34 positions. A total of eight openings have been posted in USAJOBS website. A Board member brought up that no positions as cited by Don Griffin, Mr. Dearman or Dr. Hamley were posted on USAJOBS website as of 5/2/19.
e. Reviewed the process of Government Accountability Office (GAO) monitoring and the risk matrix.
f. Reviewed the process of Indefinite Delivery/Indefinite Quantity (IDIQ) contracts and the solicitation process as well as its limitations.
g. The U.S. Department of Education (DOE) has said we are not a State, then what are we? We are designated a State for ESSA purposes but not according to IDEA. In 2017 the BIE was issued an order from a judgment designating the BIE as a State regarding IDEA.
h. A board member asked about the training academies. Are they focused on skills/knowledge or compliance? The Board members asked about follow up and coaching opportunities to support the BIE school staff. Dr. Hamley said schools have to ask, DPA is open to going to the schools to provide training. He also reported he did not know what the focus of the trainings would be until further discussions take place.
i. ERC Updates-- Anything we have identified as a need in the spring is addressed in the fall within 100% of Bureau Operated Schools. Monitoring offsite could be possible. A board member asked if service time was a challenge. This opened a discussion on how to report students with disabilities who require support from schools until age twenty-one.

11:30pm MT – Break for lunch

The BIE Associate Deputy Directors (ADDs) -Implementation of Action Plans for Special Education; ERC Updates; and Successes and Concerns.

- 1:00 – 1:45 p.m. Hankie Ortiz, ADD for Bureau Operated Schools (BOS);
- 1:45 – 2:30 p.m. Rosemarie Davis, ADD for Tribally Controlled Schools (TCS);
- 2:30 – 3:15 p.m. Emily Arviso, Acting ADD for Navajo Schools (TCS and BOS)

I. **Bureau Operated Schools (BOS)** - Hankie Ortiz, ADD and Gloria Yepa, Education Specialist for special education.
   a. Presentation provided by Hankie Ortiz and Gloria Yepa.
   b. Ms. Ortiz's office staff works closely with all schools within her region providing recommendations, assisting schools with compliance issues and to ensure consistency throughout the schools.
   c. The following items are topics our office works with the schools: curriculum, native culture, special education, residential programs, residential issues for

special education, safety and improving data reporting, data accuracy and compliance.

d. The ADD office and the two ERC's are short on special education staff. Ms. Yepa is filling in trying to work with the schools as much as she can.
e. As for school safety, suicide and weapons – we don't compile this data but it's in the data system. Our office needs to start compiling this type of data. Suspected child abuse occurrences are reported using the BIE's Suspected Child Abuse/Neglect (SCAN) Report.

II. Tribally Controlled Schools (TCS) - Rosemarie Davis, ADD and Dr. Cherie Poitra, Education Specialist for special education.

a. Presentation provided by RoseMarie Davis and Dr. Cherie Poitra.
b. TCS is different both in issues of sovereignty and compliance.
c. There are ninety-eight schools located within twenty-three states.
d. Dr. Poitra reviewed her duties and reported what she has done for special education such as unifying forms for special education staff and creating an Indian School Equalization Program (ISEP) guidebook however it has not been sent to the schools.
e. The ADD TCS region has seven positions but only four are filled. Due to the low staffing this makes monitoring an issue.
f. A board member asked about job equity issues as one person has twenty-four schools and another has nine. It was reported there is a special education person at the tribal level. We also need someone to work with the fifteen boarding schools, capacity building for school and district/region leadership training.

III. Navajo Schools (TCS and BOS) - Emily Arviso, Acting ADD and Tawanda Avery and Carrie Watahomogie, Education Specialists for special education.

a. Presentation provided by Tawanda Avery and Carrie Watahomogie.
b. There are sixty-five Navajo Schools within their jurisdiction, BOS and TCS. Policies and procedures for the special education program is the item most in need. There are four upcoming staff trainings that are scheduled in the summer and fall. A big concern is the lack of knowledge for special education and special education staff. There have been state complaints due to this lack of knowledge. Tawanda wants to provide multi-tiered systems of support in schools. There is an implementation Plan: interventions and identification, staff does not know the purpose of Coordinated Early Intervening Services (CEIS) and we must provide training, the school need to report reporting vacancies which is lacking so we can get them filled in a timely manner; retention is an issue mainly due to the lack of housing. Goal 5 of the strategic plan has been integrated. Monitoring has shown we owe compensatory time due to staffing issues. We are striving to train staff to be knowledgeable in special education and this could help with staffing issues.

IV. BIE Human Resource Department - Follow up on reports/obtaining data on for SY 2017-18 and SY2018-19. The BIE HR Department provided a response for Special Education data for: the number of BIE vacancies for teachers and other special education positions, number of applicants, data on personnel exiting BIE, number of personnel hired; data on qualified personnel; retention data and turnover rates in the schools.

a. A presentation provided by Vivian Pacheco.
b. BIE positions are posted on the USAJOBS website.
c. Some of the positions are not labeled special education and need to be. If they are not listed as special education they may possibly be cut if a reduction in force (RIF) ever occurs.
d. A board member asked if positions (vacancy announcements) can remain constantly opened for specific school sites who have a difficult time recruiting special education staff. HR stated all positions are removed after four months, then re-advertised a month later. A board member asked how that fits with the school calendar and staffing at schools. A response was not provided.
e. A board member asked about the DPA positions that have been open for years and the process of hiring for the GS positions. Ms. Pacheco reported that another department takes care of this and she does not know the procedures for the GS positions. She only knows the procedures for school site positions.

4:30pm MT – Recess for the day

Day 3 - Friday, May 3, 2019

Start Time: 8:00 a.m. Mountain Time

Call to Order and Board Roll Call – completed by Norman Shawanokasic, Chair

1. Present - Norman Shawanokasic, Board Member (In person)
2. Present - Brenda Anderson, Board Member (In person)
3. Present - Dr. Eudore Camata, Board Member (In person)
4. Present - Teresa McMakin, Board Member (In person)
5. Present - Marcy Oliver, Board Member (In Person)
6. Present - Dr. Harvey Rude, Board Member (In person)
7. Present - Katinee Shawanokasic, Board Member (In Person)
8. Present - Gretchen Wendell, Board Member (In Person)
9. Present - Rebecca Youngman, Board Member (In Person)

- Absent - Ronald Worst, Board Member (Excused)
- Absent - Adrienne Benally, Board Member (Excused)
- Absent - Jennie Platerio, Board Member (Excused)

- Present – DFO, Jennifer Davis, DFO (In person)
- Gallery: 7 individuals were in attendance.
    - Dr. Cheri Poitra, BIE Education Specialist, Special Education, ADD/TCS
    - Gloria Yepa, BIE Education Specialist, Special Education, BOS
    - Tawanda Avery, Special Education director, BIE Navajo ADD
    - Carrie Watahomigie, Education Specialist, Special Education, BIE Navajo ADD
    - Donald Griffin, BIE Supervisory Education Specialist, Division of Performance & Accountability (DPA)
    - Connie Albert, BIE Education Specialist, DPA
    - Dr. Maureen Lesky, BIE Program Manager, Sovereignty in Indian Education Enhancement Program

I. BIE Office of Sovereignty – Dr. Maureen Lesky, Program Manager.

a. Presentation provided by Dr. Lesky.
b. The Office of Sovereignty has three new three employees.
c. Dr. Lesky proved a brief overview of the Tribal Education Department (TED) grants.
    i. The BIE provides grants to tribes and their tribal education departments for projects defined under 25 U.S.C. 2020. Tribes with BIE-funded schools on or near Indian lands can submit a grant proposal. The purpose is to assist federally recognized tribes with building their tribal education departments and promoting tribal control for their schools. These funds will support the development of TEDs to improve educational outcomes for students and improve efficiencies and effectiveness in the operation of BIE-funded schools.
    ii. Funds support program goals for the following areas that promote tribal education capacity building: (1) To provide for the development and enforcement of tribal educational codes, including tribal educational policies and tribal standards applicable to curriculum, personnel, students, facilities, and support programs; (2) To facilitate tribal control in all matters relating to the education of Indian children on reservations (and on former Indian reservations in Oklahoma); (3) To provide for the development of coordinated educational programs (including all preschool, elementary, secondary, and higher or vocational educational programs funded by tribal, Federal, or other sources) on reservations (and on former Indian reservations in Oklahoma) by encouraging tribal administrative support of all Bureau-funded educational programs as well as encouraging tribal cooperation and coordination with entities carrying out all educational programs receiving financial support from other Federal agencies, State agencies, or private entities.

iii. Grant awards will range from $50,000 to $350,000 per fiscal year depending on the project, number of educational programs impacted, project design and expected outcomes. Subject to the availability of appropriated funds, a grant provided under this section shall be provided for a period of three years. If the performance of the grant recipient is satisfactory to the Secretary, the grant may be renewed for an additional two-year term. As prescribed by 25 U.S.C. 2020, top priority will be given to applications that meet four criteria elements.

iv. The TED grants are funded year-to-year. The grants to various tribes who have applied provides financial supports and technical assistance to the tribes. The grants vary ranging from $50,000 to $350,000.

v. A total of $2.0 to 2.5 million dollars have been provided to various tribe regarding the TED grants.

vi. Monthly calls are conducted for reporting, monitoring and collaboration. The collaboration is a good process and allows other tribes to learn from one another. For example, the Hopi Tribe is working with the Mississippi Choctaw Tribe.

d. An update was provided about the Johnson O'Malley program (JOM). The JOM Modernization Act was signed January 2019; and tribal consultations will be conducted starting June 2019.

Public Comments (11:00 a.m. to 11:30 p.m. MT)

- The DFO received one email from an individual regarding public comments. The email was read aloud by the Chair for the Board. A person from the Oneida Nation region stated recruiting special education teachers is extremely needed in the region.
- An individual called from Cibecue, Arizona and suggested wider training opportunities on special education information regarding transition and families to attend advocacy topics to help their children with disabilities.
- An individual called and reported her child's early childhood experience was not good due to special education services being too far away. The 3-year old child had to travel a long distance to get to her special education services. There was a lack of special education staffing at the school. She suggested increase funding to hire more staff so her child will not have to travel long distances for services.

11:30pm MT – Break for lunch

1:00 pm MT – Advisory Board Work Group Session:

I. During the work session the Board's agenda items were to work on the following:
   - Continue working on 2019 Priorities

- Discussion of Subcommittees for 2019 Priorities
- Federal Register Notices
- Anticipated membership vacancies for 2019
- Discuss for next Advisory Board meeting and topics to be worked on
- Open for other topics

II. Teresa McMakin voluntary resigned from the Secretary post. Board member Marcy Oliver nominated Rebecca Youngman. Dr. Camata second the motion. The Board unanimously accepted. Rebecca Youngman accepted the Secretary position for 1-year.

III. Mr. Griffin was asked to return by the Board to discuss DPA priorities.
   a. He recommended a leadership role of special education staff at schools, he would like to see a lead teacher, and special education coordinator at schools. Schools are the Local Education Agency (LEA) and should require a special education coordinator who has summer duties in their contract and is also compensated.
   b. Discussed specific duties. Next priority is training for school staff such as summer institutes and technical assistance.
   c. The contract with LRP resources is working.
   d. There is an IDIQ to provide technical assistance to schools.
   e. The BIE needs to open the application process to the public for positions that have not been filled.

IV. The Board set priorities for the 2019 year to focus on two priorities: transparency and Recruitment of Staff. A discussion on specifics occurred as well as narrowing down of subtopics.
   a. Transparency
      i. Clarify roles and responsibility of BIE staff, departments and regions to ensure appropriate special education programs and services for students with disabilities.
      ii. Establish best practices for recruitment, placement, and retention of BIE staff who support special education services at BIE funded schools.
      iii. Promote autonomy of the BIE without reliance on the BIA in procurement, information technology, and facilities for special education programs.
   b. Staff Recruitment
      i. Develop job equity across Bureau Operated, Tribally Controlled, and Navajo Schools to fill the support positions (Associate Deputy Director's level) needed to provide focused and meaningful special education technical assistance to all schools.

ii. Build the capacity of special education personnel at all school levels to facilitate compliance and performance accountability.
iii. Initiate timely hiring processes that align with the school calendar to ensure positions are filled prior at the beginning of the school year.

V. The Board decided to divide into two subcommittees to perform a SWOT analysis (Strengths, Weaknesses, Opportunities and Threats) for each priority. The Board Secretary (Ms. Youngman) will create a Google Doc for each group to contribute to, then the groups would switch. It was decided the Chair and Secretary would have access to both documents.
   a. Subcommittee Priority One (Transparency) - Marcy Oliver, Dr. Harvey Rude, Teresa McMakin, Dr. Eudore Camata and Adrienne Benally.
   b. Subcommittee Priority Two (Staff Recruitment) - Brenda Anderson, Katinee Shawanokasic, Gretchen Wendell, Jennie Platerio and Ronald Worst.

VI. Discussion of next board meetings and agenda:
   a. The next meeting date, and to close out the FY 2018-2019, it was decided that September 25-27, 2019, with September 24th and 28th as the travel days. The first choice for the board meeting is Washington, DC within the Main Interior Building. The second choice is Choctaw, Mississippi.
      i. Recommended agenda items for the September meeting:
         1. Connect with DOI staff such as the Assistant Secretary of Indian Affairs, Tara Sweeney, BIE senior leaders (BIE Director, ADD's).
         2. Reports from BIE stakeholders – Tony Dearman, Dr. Jeffrey Hamley, Donald Griffin, and the ADD's.
         3. Discuss staffing issues at the ERC's, ADD offices and DPA Education Specialists.
         4. Begin working and finalizing the 2019 Annual Report
         5. Discuss logistics for the November 2019 board meeting.
   b. To start the FY 2019-2020, the first advisory board meeting date and site is set for November 11-12, 2019, with November 10th and 13th as the travel days; the Board meeting location site will be at 1011 Indian School Rd., located in Albuquerque, NM.
      i. Recommended agenda items for the November meeting – A date was set however, the holidays may interfere. The priority will be to discuss the 2019 priorities.
   c. The second meeting for FY 2019-2020, the location site for the early spring would be set for Choctaw, Mississippi as the first choice; then in the fall the Navajo Nation region (multiple sites such as Window Rock, Chinle, Kayenta) and/or the Hopi Reservation (First Mesa Day School or Second Mesa Day School as the host sites) as the next choice. The Advisory Board would like to be more visible to school staff, parents of students with disabilities and students with

disabilities; to be closer to BIE funded schools and to seek their direct input during the public commenting periods.

VII. The DFO brought up housekeeping items for board members. A WebEx will no longer be set up for board member attendance. Board members must meet in person at the meeting site. The Board will meet on the second floor when the Board meets in the Albuquerque office for a more formal setting and larger workspace.

VIII. Teresa McMakin provides closing prayer

IX. Norman Shawanokasic, Chairperson adjourns the board meeting 4:30 p.m. MT

Meeting Adjourned

Appendix 1:

- Advisory Board Member Roster
- Advisory Board Agenda

Appendix 1:

Bureau of Indian Education
Advisory Board for Exceptional Children
2019 Current Board Members

Board Member	Representative Category	Term Start Date	Term End Date
Brenda Anderson Arizona	Representatives of tribes or tribal organizations	04/01/2019	04/01/2022
Adrienne Benally Arizona	Parents of Children with Disabilities	12/02/2016	12/02/2019
Dr. Eudore Camata New Mexico	Local Education Officials	04/01/2019	04/01/2021
Teresa McMakin Montana	Local Education Officials	04/01/2019	04/01/2022
Marcy Oliver New Mexico	State Education Officials	04/01/2019	04/01/2021
Jennie Platerio Arizona	Bureau employees concerned with the education of children with disabilities	04/01/2019	04/01/2021
Dr. Harvey Rude Colorado	Service providers to children with disabilities	12/02/2016	12/02/2019
Katinee Shawanokasic, Vice-Chair Wisconsin	Indian persons with disabilities	04/01/2019	04/01/2022
Gretchen Wendell South Dakota	Bureau employees concerned with the education of children with disabilities	04/01/2019	04/01/2021
Ronald Worst Oregon	Indian parents or guardians of children with disabilities	12/02/2016	12/02/2019
Rebecca Youngman, Secretary New Mexico	Service providers to children with disabilities	04/01/2019	04/01/2022
4 vacant positions			

Four board positions are currently vacant. A “Call for Nominations” is been published in the Federal Register and the nomination deadline is 7/31/2019. The 2019 Current Board Member document was last updated on 6/11/2019.

U.S. Department of the Interior
Bureau of Indian Education
Advisory Board for Exceptional Children

BIE Advisory Board Meeting
1011 Indian School Rd., Room 326
Albuquerque, NM 87104
May 1-3, 2019

Wednesday, May 1, 2019 - 3rd floor Large Conference Room #326

8:30 a.m.	**Call to Order & Opening Remarks**	Jennifer Davis, Designated Federal Officer (DFO)
8:30 a.m.	**Roll Call, Welcome & Introduction**	Norman Shawanokasic, Chair
	Orientation Session	DFO

- Review of Federal Advisory Committee Act (FACA) and regulations
- Review of the Individuals with Disabilities Education Act (IDEA)
- Review Board Member Handbook
- Review the Charter
- Overview of the DOI and the BIE
- Overview of the BIE Special Education Program
- Review of Board member voucher process

10:00 a.m.	**Break** (15 minutes)	
11:30 a.m.	**Lunch** (on your own)	
1:00 p.m.	**Call to Order, Roll Call**	Norman Shawanokasic, Chair

Begin Advisory Board meeting

- **Welcome & Opening Prayer**
- **Introduction of Board members**
- **Old Business**
  - Review 9/22/18 Minutes
  - Review 2018 Annual Report
- **New Business**
  - Briefing for Board Members: BIE Reorganization, Special Education Indicators
  - Introduction & Discussion of new 2019 priorities for Advisory Board
  - Election for Vice-Chair and Secretary
  - Open for other topics

2:30 p.m.	**BIE Special Education Update:**	Donald Griffin, Supervisory Education Specialist
4:00 p.m.	**Advisory Board End of the Day Discussion**	Norman Shawanokasic, Chair
4:30 p.m.	**Recess for the Day**	DFO

U.S. Department of the Interior
Bureau of Indian Education
Advisory Board for Exceptional Children

Thursday, May 2, 2019 - Room #326

8:30 a.m.	**Call to Order, Roll Call** **Advisory Board Opening Day Discussions**	Norman Shawanokasic, Chair
9:00 a.m.	**BIE Update**	Tony Dearman, BIE Director
10:00 a.m.	**Break**	
10:15 a.m.	**DPA Update**	Dr. Jeffrey Hamley, Associate Deputy Director
11:15 a.m.	**Advisory Board Brief Discussion**	
11:30 a.m.	**Lunch** (on your own)	
1:00 p.m.	**Meet & Discuss Special Education Topics with the BIE Associate Deputy Directors (ADDs)** Implementation of Action Plans for Special education; ERC Updates; Successes and Concerns. 1:00 – 1:45 p.m. Hankie Ortiz, for Bureau Operated Schools (BOS); 1:45 – 2:30 p.m. Rosemarie Davis, ADD for Tribally Controlled Schools (TCS); 2:30 – 3:15 p.m. Tamarah Pfeiffer, for Navajo Region (TCS and BOS) Invitations have also been sent to: o The ADD's Education Program Specialists for Special Education; o The DPA Education Specialists for Special Education Call in Conference #: 1-888-417-0376 Passcode: 1509140#	
3:15 a.m.	**Break**	
3:30 p.m.	**BIE Human Resource Department** Follow up on reports/obtaining data on for SY 2017-18 and SY2018-19 –Special Education data for the number of BIE vacancies for teachers and other special education positions, number of applicants, data on personnel exiting BIE, number of personnel hired; data on qualified personnel; retention data and turnover rates in the schools.	
4:30 p.m.	**Recess for the Day**	

Friday, May 3, 2019 - Room #326

8:00 a.m.	**Call to Order & Roll Call**	DFO & Norman Shawanokasic, Chair
8:30 a.m.	**BIE Office of Sovereignty** • Update - Tribal Education Departments (TED) - Strengthen tribal capacity in the area of tribal sovereignty supported by TED grants. Brief history/information; TED Update for FY 2015 TED grants; new FY 2017-18 and FY 2018-19 TED grants.	Dr. Maureen Lesky, Program Manager
9:30 a.m.	Work on 2019 Priorities for Advisory Board	Chairperson & Advisory Board

U.S. Department of the Interior
Bureau of Indian Education
Advisory Board for Exceptional Children

11:00 a.m.	**Public Comments (in-person or phone)** 11:00 a.m. to 11:30 a.m. Mountain Standard Time Call in Conference #: 1-888-417-0376 Passcode: 1509140#	Advisory Board
11:30 a.m.	**Lunch** (on your own)	
1:00 p.m.	**Continuation of Advisory Board Topics** • Continue working on 2019 Priorities • Discussion of Subcommittees for 2019 Priorities • Federal Register Notices • Anticipated membership vacancies for 2019 • Discuss for next Advisory Board meeting and topics to be worked on • Open for other topics	Advisory Board
4:30 p.m.	**Adjourn and Closing Prayer**	Norman Shawanokasic, Chair